

# United States Bankruptcy Court Eastern District of Wisconsin



Case Management/Electronic Case Filing  
Administrative Procedures  
August 2006

**United States Bankruptcy Court  
Eastern District of Wisconsin**

**Case Management/Electronic Case Filing  
Administrative Procedures**

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## CM/ECF Administrative Procedures

### I. DESIGNATION OF CASES, PASSWORDS AND REGISTRATION

#### A. Designation of Cases

The provisions in these Administrative Procedures and any amendments thereto apply to documents filed or submitted on or after February 23, 2004. Revisions have been made in June of 2006 to incorporate updates from the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005. They also govern access to, and use of, the United States Bankruptcy Court for the Eastern District of Wisconsin's Case Management/Electronic Case Filing System ("CM/ECF System" or "System").

#### B. Passwords

Attorneys, United States Trustees, private trustees, and others may register as Filing Users. Registration will permit the user to electronically file and retrieve pleadings and other documents. A user's password, combined with the user's login, constitutes the user's signature on any document or pleading submitted electronically through the System.

#### C. Registration

1. **Registration Form.** Each user must submit a completed ECF Registration Form. A copy of the registration form is attached to these procedures. Registration forms are to be submitted to the Clerk at: **Attention: CM/ECF Registration, 517 East Wisconsin Avenue, Room 126, Milwaukee, Wisconsin 53202.**
2. **Obtaining Login and Password and Maintaining Account.** After a user successfully completes ECF training and/or qualifying exercises, the Clerk will issue the user an assigned login and password. Upon receipt, the user should change the assigned password in the System using the "Utilities" feature by selecting "Maintain Your ECF Account." Users are responsible for maintaining their accounts. The Clerk may require users to attend refresher courses or receive additional training after issuance of a password.
3. **Use and Protection of Login.** Any login issued for the System should be used exclusively by the registered user or by persons authorized by the registered user. Registered users should not knowingly permit a login to be used by anyone who is not authorized to use the login, and no person should knowingly use another user's login unless such person is so authorized.

4. **Password Security.** If a user has reason to suspect the login and password have been compromised, it is the user's duty to change the password through the "Maintain Your ECF Account" option under the "Utilities" function of the ECF System and to inform the Clerk of the suspected compromise, if necessary.
5. **E-mail Address.** Once registered, a user must maintain a current and active e-mail address to receive e-mail notification from the System in either the primary or additional e-mail address fields. These fields can be modified using the "Utilities" feature by selecting "Maintain Your ECF Account." The Clerk may terminate access to the System for failure to maintain an active e-mail address.
6. **Withdrawal from System.** A user may withdraw from the System by providing the Clerk with written notice of such withdrawal. Upon receipt of the written notice, the Clerk will cancel the user's login. Terminating access to the System does not constitute an attorney's withdrawal as the attorney of record for his/her client.

## **II. FILING DOCUMENTS**

### **A. Manner of Filing**

All filers must comply with the Federal Rules of Bankruptcy Procedure, the Local Rules and the Appendix to the Local Rules.

1. **Electronic Filing.** Electronic Filing is filing through the ECF System by registered users.
2. **Conventional Filing.** Conventional Filing is filing documents in paper format, on a floppy diskette, or on a CD-ROM.

### **B. Effect of Electronic Filing**

1. **Entry on Docket.** Electronic transmission of a document to the System, confirmed by the Court's transmission of its Notice of Electronic Filing, constitutes filing a document for purposes of the Federal Rules of Bankruptcy Procedure and the Rules of this Court, and constitutes entry of the document on the docket kept by the Clerk of Court under Fed. R. Bankr. P. 5003.

2. **Official Record.** The official record of a document filed or scanned by the Clerk after February 23, 2004, is the electronic record of the document as stored by the Clerk.

**C. Statement of Social Security Number(s) (Form B21)**

1. **Electronic Filing.** The information contained on the form is submitted to the Clerk as part of the process to open a case. There is no need to submit the form.
2. **Amended Statement of Social Security Number(s).** When amending the information contained on the form submit the form conventionally.
3. **No Social Security or Tax ID Number.** The social security or tax id number information can be bypassed during the case opening process if the party does not have a number.

**D. Non-Filing Spouse**

A specific event has been created to add the name, address and social security number of a non-filing spouse. The event is called Add Non-Filing Spouse and it can be found on the “Bankruptcy” menu, under “Other Events” or “Miscellaneous.”

**E. Creditor Matrix**

Whether filed conventionally or electronically, the creditor matrix must be prepared and filed in accordance with LR 1007 and the Appendix to the Local Rules - Requirements for Filing a Master List (Matrix). Paper matrices are only accepted in extenuating circumstances in accordance with the Appendix to the Local Rules.

**F. Exhibits**

1. **Pleadings.** For the convenience of the filer and other parties, documents and claims that reference voluminous exhibits, including but not limited to leases, mortgages, promissory notes and the like, may be submitted in summary form. The summary need only include a brief description of the exhibits that are directly germane to the matter under consideration by the Court. The summary should be submitted as part of the document. The actual exhibits must be available to counsel and the Court upon request. The actual exhibits must also be available in the courtroom at any time they are intended to be used as evidence. A sample Exhibit Summary and Certificate of Service is attached to this document (Attachment A-2).

2. **Trial.** Exhibits for trial (on an adversary or contested matter) should not be filed with the Clerk. Except as provided in a pretrial order, exhibits should be listed on an Exhibit Summary and delivered to the Judge's chambers and opposing counsel in paper format at least three business days prior to trial.

**G. Exceptions to Electronic Filing**

**Documents Under Seal.** Documents may be filed under seal on motion to the Court. Registered users may file such motions electronically; however, the actual document(s) to be sealed may not be filed electronically. If the documents are required for the Court to rule on the motion, the documents should be submitted to the Court for an *in camera* review. If the motion is granted, the movant must submit the documents to the Clerk conventionally in an envelope indicating they are being filed under seal, and should affix a copy of the order authorizing the filing under seal to the envelope.

**H. Tax Documents**

No tax information filed with the bankruptcy court or otherwise provided by the debtor will be available to the public via the Internet, PACER, or CM/ECF. To file tax information in the System, use the event "Tax Information" which can be found on the "Bankruptcy" menu, under "Other Events" or "Miscellaneous." Local Rule 1007 specifies the information that may be required to be filed with either the court or the case trustee prior to discharge. Debtors providing tax information under 11 U.S.C. § 521 should redact personal information as set forth in the Judicial Conference's Policy on Privacy and Public Access to Electronic Case Files.

1. **Social Security Numbers.** If an individual's social security number is included, only the last four digits of that number should appear.
  2. **Names of Minor Children.** If a minor child(ren) is/are identified by name, only the child(ren)'s initials should appear.
  3. **Dates of Birth.** If an individual's date of birth is included, only the year should appear.
  4. **Financial Account Numbers.** If financial account numbers are provided, only the last four digits of these numbers should appear.
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### **III. NOTICE AND SERVICE OF DOCUMENTS**

#### **A. Notice of Electronic Filing**

When a document is filed electronically, or filed conventionally and docketed electronically by the Clerk, the System will automatically transmit a “Notice of Electronic Filing” by e-mail to all registered users in the case. The Notice of Electronic Filing will indicate the time of filing the name of the filing party and user, the type of document filed, and the text of the docket entry. The Notice will also contain a hyperlink to the document, allowing the e-mail recipient to view, print, and download the document without fee. A list of those persons who will receive the document electronically through the System and a list of those to whom it will not be sent electronically is also provided in the Notice.

It is the filer's responsibility to serve by conventional methods any persons required to receive the document, who have not received the document electronically. For example, it is not anticipated that consumer debtors will receive e-mail notification of documents filed in their cases. If the Bankruptcy Rules require the debtor to be served with a document, the filer should use conventional service methods, such as first class mail, to serve the debtor.

#### **B. Consent to Electronic Service and Effect of Notice**

Pursuant to Fed. R. Civ. P. 5(b)(2)(D), and Fed. R. Bankr. P. 9036, with the exception of service of process under Fed. R. Bankr. P. 7004, registration to file electronically constitutes the user's consent to receive notice and service by electronic means and is a written waiver of service by other means (e.g., first-class mail). For registered users, notice through the ECF System constitutes service of the documents referenced in the Notice of Electronic Filing.

#### **C. Conventional Service**

When documents are filed conventionally, the filer must serve all documents via first-class mail or as otherwise permitted by the Federal Rules of Bankruptcy Procedure upon all persons entitled to notice or service.

#### **D. Certificate of Service**

The certificate of service should indicate on whom the document was served and the manner of service. If service is made through the ECF System, it is sufficient for the certificate of service to state that service was made by the ECF Notice of Electronic Filing and to show the names of those served without listing each user's e-mail address. When service is made through the System on some parties, and by mail, or otherwise on others, the names and manner of service must be delineated.

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**E. Service of Summons**

Nothing herein should be construed to eliminate the necessity of serving a summons and complaint in accordance with the Federal Rules of Civil Procedure and the Federal Rules of Bankruptcy Procedure.

**IV. SIGNATURES**

**A. Login Constitutes Signature**

The user login and password required to submit documents to the System serve as the registered user's signature on electronic documents filed through the System. They also serve as a signature for the purposes of Fed. R. Bankr. P. 9011, for the rules of this Court, and for any other purpose for which a signature is required in connection with proceedings before the Court. The filing of a stipulation or other document requiring signatures of more than one party constitutes a representation by the filer that all parties whose signatures are represented on the document have, in fact, signed the document.

**B. Format**

1. **Electronic Filing.** No signatures are required to appear on documents filed electronically. The Court does not require “/s/” or other indicia of signature for the attorney's, the debtor's, or other verified signature, although users are free to use that designation if they desire. The attorney's login and password serve as the attorney's signature. The filer must retain original documents bearing other signatures (e.g., debtor's, creditor's) as required in paragraph C. below.
2. **Conventional Filing.** Documents filed in paper format or on floppy diskette/CD-ROM must contain signatures.

**C. Retention**

Pursuant to Local Rule 5005.1, documents which must contain original signatures of the debtor(s) or other entities, including those which are: signed under penalty of perjury; require verification under Fed. R. Bankr. P. 1008; or contain an unsworn declaration as provided in 28 U.S.C. § 1746, must be maintained by the filer of the document for a period of five years after the closing of the case unless the Court orders a different period. On request of the Court or when the signature is at issue, the filer must provide original documents for review.

**V. FEES**

**A. Credit or Debit Cards**

Registered users must use a credit or debit card to pay filing fees. The Credit Card Authorization Form is available in the Appendix to the Local Rules.

**B. Delinquent Fees**

When a fee is required with any pleading or document filed electronically, and the fee is not simultaneously paid with a credit or debit card because the card is rejected, the filer must deliver the required fee to the Clerk within two business days of the date the registered user is aware of the rejection. The Court may dismiss the case or deny the subject pleading for failure to pay the required fee and the Clerk may revoke the user's login.

**C. Filing Fee Applications**

When permitted in an individual case, an Application to Pay Filing Fee in Installments or an Application for Waiver of the Chapter 7 Filing Fee may be filed electronically to address the filing fee required for new petitions.

**VI. ORDERS**

**A. Manner of Submission - Electronic Filing**

The System will allow submission of all proposed orders through "Order Upload" on the Bankruptcy menu. These orders must be PDF documents with a four inch margin at the top of the first page for the signature stamp. Further, the PDF order should not contain a signature line and should have five pound signs "#####" centered immediately after the last line of text in the order (see Attachment A-4).

**B. Entry of Orders and Service**

1. **Entry.** Orders and judgments of the Court will be docketed electronically by the Court in accordance with these procedures. Any order docketed by the Court and transmitted through the ECF System without the original signature of the Judge has the same force and effect as if the Judge had affixed his or her signature to a paper copy of the order.

2. **Service.** Upon the entry of an order or judgment, the System will electronically transmit a Notice of Electronic Filing to registered users in the case. The Clerk will serve a copy of the order to the contesting parties and to other entities as the court directs pursuant to Rule 9022. It is the responsibility of the filer to serve any other parties.

## **VII. APPEALS**

### **A. Documents Required for Appeal - Electronic Filing**

As with all documents, a notice, certification, or request for certification of an appeal must be filed in PDF format and linked to the order or judgment being appealed. The appellant must also file the designation of record and statement of issues on appeal within the time required by the Federal Rules of Bankruptcy Procedure. If items were entered on the docket prior to February 23, 2004, the appellant and appellee are responsible for delivering paper copies of all documents designated, such as pleadings, exhibits, and transcripts to the Bankruptcy Clerk.

## **VIII. PUBLIC ACCESS TO THE CM/ECF SYSTEM**

### **A. Internet Access with a Password**

Any person with a valid PACER login and password may access the System at <https://ecf.wieb.uscourts.gov/>. However, this access is limited to viewing information, as PACER privileges do not constitute filing privileges. A PACER login and password can be obtained by contacting the PACER Service Center at **1-800-676-6856** or online at <http://pacer.uscourts.gov>.

### **B. “Free Look”**

Registered users will not be charged for one “free-look” (i.e., initial retrieval, download, viewing and printing of a document) when a document is accessed directly from the e-mail Notice of Electronic Filing. Users are encouraged to download or print the notice and underlying documents because the link to those documents from the e-mail will only operate once.

### **C. Public Access at the Court**

The public will have electronic access to view bankruptcy records at no charge at the Bankruptcy Clerk’s Office (517 E. Wisconsin Ave., Suite 126, Milwaukee, Wisconsin) during regular business hours. A fee will be charged for printed copies.

**D. Conventional Copies and Certified/Exemplified Copies**

Conventional copies and certified/exemplified copies of electronically filed documents may be obtained at the Clerk's Office. The fee for copying, certification, and/or exemplification will be in accordance with the fees imposed by 28 U.S.C. §1930(b).

**E. Restricted Viewing of Documents**

1. No tax information filed with the bankruptcy court or otherwise provided by the debtor will be available to the public via the Internet, PACER, or CM/ECF.
2. To gain access to a debtor's tax information under 11 U.S.C. § 521(f), the United States trustee, trustee, or party in interest, including a creditor, must follow the procedures set forth below.
  - a. A written request that a debtor file copies of tax returns with the court pursuant to 11 U.S.C. § 521(f) shall be filed with the court and served on the debtor and debtor's counsel, if any.
  - b. In order to obtain access to debtor's tax information that is filed with the bankruptcy court, the movant must file a motion with the court, which should include:
    - i. a description of the movant's status in the case, to allow the court to ascertain whether the movant may properly be given access to the requested tax information,
    - ii. a description of the specific tax information sought,
    - iii. a statement indicating that the information cannot be obtained by the movant from any other sources, and
    - iv. a statement showing a demonstrated need for the tax information.



UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

In re DEBTOR NAME )  
 )  
 ) Case No. \_\_\_\_ - \_\_\_\_ - \_\_\_\_  
 ) Chapter \_\_\_\_  
 Debtor(s). )

EXHIBIT SUMMARY AND CERTIFICATE OF SERVICE

The following exhibits are referenced in support of \_\_\_\_\_  
(*the motion, pleading, or claim to be filed*). These exhibits are available on request:

- 1 .....
- 2 .....
- 3 .....

Signature Block

Copy of this summary served this \_\_\_\_\_  
day of \_\_\_\_\_, \_\_\_\_\_, on:

[respondent(s) - motion]  
[debtor's attorney and trustee, if claim]

**United States Bankruptcy Court  
Eastern District of Wisconsin**

**CM/ECF 3.0 PDF SPECIFICATIONS**

Requirements for documents submitted electronically:

1. Document must be in PDF format
2. Only certain fonts are acceptable
  - a. To view Document Fonts, type CTRL/ALT/F. You must click List All Fonts to see Embedded fonts.
  - b. Documents should be prepared using the Arial, Courier, Helvetica, Times, Symbol, Times New Roman, or ZapDingbat font (regular, bold, italic, and bold italic).
  - c. Other fonts will not process correctly through the BNC.
  - d. To view Document Summary, type CTRL/D.
3. Security must be turned off on PDF
4. Page size must be 8.5in x 11in
5. Page orientation must be vertical
6. Document must be under 21.5 Megabytes
7. Document cannot be password protected
8. Document cannot contain embedded links to external websites or documents
9. Our system will reject any document containing Remote Approach tracking tags
  - a. Remote Approach is a software program that performs document distribution measurement of PDF files. The software allows document distributors to add special tags to their PDF documents to determine if their PDF documents are being read, downloaded, or forwarded. Remote Approach sends the document distributor a notice each time a document is viewed.



**United States Bankruptcy Court  
Eastern District of Wisconsin**

**CM/ECF E-FILING OF ELECTRONIC ORDERS**

1. Format of E-Order
  - a. Professional quality
    - i. Use the proper caption.
    - ii. Maintain an adequate margin on each page.
    - iii. Provide adequate line spacing for readability.
    - iv. Clearly delineate paragraphs.
  - b. Document must be in PDF format.
    - i. A four inch space must be present at the top of the first page of the order. E-Orders will sign the order; however, it will be illegible atop the existing text of the order.
    - ii. Center five #'s on the line immediately after the last line of text in the proposed order to indicate the end of the order. For example:

#####
    - iii. Only certain fonts are acceptable:
      - (1) To view Document Fonts, type CTRL/ALT/F. You must click List All Fonts... to see Embedded fonts.
        - (a) If the order is produced using Adobe Acrobat Writer versions 3 or 4, orders should be prepared using the Courier, Helvetica, or Times New Roman font (regular, bold, italic, and bold italic).
        - (b) If the order is produced using Adobe Acrobat Writer version 5, orders should be prepared using the Arial, Courier, or Times New Roman font (regular, bold, italic, and bold italic).
        - (c) Other fonts will not process correctly through either E-Orders or BNC.
      - (2) To view Document Summary, type CTRL/D
    - iii. Security must be turned off on pdf.
    - iv. Page Size must be 8.5 in x 11 in.
    - v. E-Orders can not stamp documents which have been created with Adobe Distiller 6.0 default settings. See the steps below to adjust the particular parameters to make Adobe Distiller 6.0 produce a "signable" PDF file:
      - (1) In Adobe Distiller 6.0
        - (a) Click Settings
        - (b) Click Edit Adobe PDF Settings {A new screen appears}
        - (c) Click File Options {There will be a line called: Object Level Compression. It will have a drop down menu. There will be two choices Off and Tags Only}
        - (d) CHOOSE OFF
    - vi. Page orientation must be vertical.

**United States Bankruptcy Court  
Eastern District of Wisconsin**

**CM/ECF 3.0 CASE UPLOAD FIELD SPECIFICATIONS**

1<sup>st</sup> line Statistics Record

Field	Description	Field	Description
1	Record type = stat	13	Number Of Creditors (A=1-49, B=50-99, C=100-199, D=200-999, E=1,000-5,000, F=5,001-10,000, G=10,001-25,000, H=25,001-50,000, I=50,001-100,000, J=100,000 or more)
2	Company Name (Vendor Software)	14	Estimated Assets (1=\$0-\$50,000, 2=\$50,0001-\$100,000, ...)
3	Version	15	Estimated Debts
4	Date Filed	16	Small Business (y/n) - Chapter 11 only
5	Form Of Origin	17	Section 1121 (y/n) - Chapter 11 only
6	Joint Petition	18	Missing Schedules
7	Chapter	19	Certification (reserved for future use)
8	Fee Status (i=installment, p=pay in full, w=in forma pauperis)	20	Presumption (y,n)
9	Nature Of Debtor (c=Consumer, b=Business)	21	Liquidated Debts (y,n)
10	Voluntary/InVoluntary (v,i)		
11	Reopened (not used at this time, leave blank)		
12	Asset Notice (y for chapter 13, n for chapter 7)		

2<sup>nd</sup> line Debtor Record

Field	Description	Field	Description
1	Record type = debt	11	Address 1
2	Party Role (db, jdb, nfs )	12	Address 2
3	First Name	13	Address 3
4	Middle Name	14	City
5	Last Name	15	State
6	Title	16	Zip
7	Generation	17	County
8	SSN	18	Country
9	Tax Id	19	Phone Number
10	Office Code (2)	20	ProSe (ignored)
		21	Party Text

3<sup>rd</sup> or 4<sup>th</sup> line Alias Record (one per alias)

Field	Description	Field	Description
1	Type=alas	5	Middle Name
2	Party Role (db, jdb, nfs )	6	Last Name
3	Alias Type (aka, dba, fka, fdba)	7	Title
4	First Name	8	Generation

For joint debtors, repeat the debtor record beginning on a newline

Party Role Types: db=debtor, jdb=joint debtor, nfs=non-filing spouse

**United States Bankruptcy Court  
Eastern District of Wisconsin**

**CM/ECF E-FILING FOR ATTORNEYS**

**Option #1  
Training Class**

The Training Class is recommended if you are not currently electronically filing in other districts. Training sessions are free and last approximately 2 hours. The training session earns Continuing Legal Education (CLE) credits.

**Option #2  
File Documents in the Training Database**

This training is required if you are not currently filing electronically in other districts. You will need to demonstrate that you can navigate through CM/ECF proficiently by successfully docketing each of the following items:

- 1) A new petition
- 2) A motion, a notice of motion, and a certificate of service
- 3) A proposed order

To arrange a training session, or to report the completion of training exercises, please contact:  
Adam Cox at (414)297-3291, extension 3075, or  
Joan McFadyen at (414)297-3291, extension 3111,  
or send an e-mail to [webteam\\_wieb@wieb.uscourts.gov](mailto:webteam_wieb@wieb.uscourts.gov)

**United States Bankruptcy Court  
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**CM/ECF E-FILING FOR CREDITOR FILERS**

Users who are currently not filing electronically in other districts are required to complete one of the training options:

1. Attend a CM/ECF training Session/Class
2. Demonstrate CM/ECF proficiency by filing claims and/or relevant documents for that office in the training database.

To arrange a training session, or to report the completion of training exercises, please contact:

Adam Cox at (414)297-3291, extension 3075, or  
Joan McFadyen at (414)297-3291, extension 3111,  
or send an e-mail to [webteam\\_wieb@wieb.uscourts.gov](mailto:webteam_wieb@wieb.uscourts.gov)